

1
2
3
4
5
6
7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**
9

10 JOHN E. ASHCRAFT,

11 Plaintiff(s),

12 v.

13 WELK RESORT GROUP, CORP, et al.,

14 Defendant(s).

Case No. 2:16-cv-02978-JAD-NJK

ORDER

(Docket No. 33)

15 Pending before the Court is a sealing motion related to briefing on the motion to strike Experian's
16 errata to its Rule 30(b)(6) deposition testimony. Docket No. 33. Experian seeks to redact portions of that
17 deposition transcript. *See* Docket Nos. 39, 57. On September 13, 2017, the Court issued an order setting
18 a hearing and instructing counsel to be prepared "to address each proposed redaction separately and discuss
19 whether each proposed redaction meets the appropriate standard." Docket No. 59 at 1. The Court held the
20 hearing on September 25, 2017, at which Experian failed to articulate a "particularized showing" of good
21 cause for any of the redactions sought. *See, e.g., Kamakana v. City & County of Honolulu*, 447 F.3d 1178,
22 1180 (9th Cir. 2006) (quoting *Foltz v. State Farm Mutual Auto. Ins. Co.*, 331 F.3d 1122, 1138 (9th Cir.
23 2003)).^{1,2}

24
25 _____
26 ¹ Because Experian failed to satisfy even the "good cause" standard, the Court need not determine
whether the more rigorous "compelling reasons" standard applies to the instant motion to seal.

27 ² Seven of the redactions sought overlap with those denied in the order at Docket No. 58, and the
28 pending motion to seal as to those overlapping requests is therefore **DENIED** as moot in light of the public
availability of the testimony.

Accordingly, the motion to seal is **DENIED** for the reasons stated at the hearing, and the Clerk's Office is **INSTRUCTED** to unseal the entire transcript at Docket No. 32.

IT IS SO ORDERED.

Dated: September 26, 2017

NANCY J. KOPPE
UNITED STATES MAGISTRATE JUDGE